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INFO OCT-01 ARA-15 ISO-00 CA-01 L-03 H-02 SSO-00
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FM AMEMBASSY GEORGETOWN
TO SECSTATE WASHDC IMMEDIATE 9092
UNCLAS GEORGETOWN 0918
E.O. 12065: NA
TAGS: CARR (LAYTON, LARRY),(PEOPLE'S TEMPLE)
SUBJ: W/W ARRESTS: LARRY LAYTON
REF: GEORGETOWN 909
1. AT MARCH 1 SESSION OF HIGH COURT TRIAL OF LAYTON, DEFENSE AND PROSECUTION CONCLUDED ARGUMENTS ON SENIOR DEFENSE COUNSEL MCKAY'S SUBMISSION CONCERNING THE LEGALITY OF THE PRELIMINARY INQUIRY (REFETEL). BOTH SIDES CONCEDED THAT IF CHIEF JUSTICE BOLLERS RULED IN FAVOR OF THE DEFENSE CONTENTION THAT MAGISTRATE CHINTA DID NOT HAVE THE AUTHORITY TO HEAR THE INQUIRY, THE INDICTMENT COMMITING LAYTON TO THE JURY TRIAL WOULD HAVE TO BE QUASHED AND THE PRELIMINARY INQUIRY CONDUCTED ALL OVER AGAIN.
2. BOLLERS ADJOURNED TRIAL AT CONCLUSION OF ARGUMENTS UNTIL MARCH 7, WHEN HE IS TO GIVE HIS DECISION ON THE SUBMISSION.
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DEPARTMENT OF STATE A/CDC/MR
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